

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S) : AKIO NODA et al.
FOR : OPTICAL ELEMENT FIXING
STRUCTURE, OPTICAL ELEMENT
FIXING BODY, OPTICAL ELEMENT,
AND OPTICAL ELEMENT HOLDER
SERIAL NO. : 10/535,578
INTERNATIONAL FILING DATE : December 16, 2003
EXAMINER : Unknown
ART UNIT : Unknown
CONFIRMATION NO. : 7248
ATTORNEY DOCKET NO. : TOMI 200008

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS
UNDER 35 U.S.C. 371 IN THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)

MAIL STOP PCT
Commissioner for Patents
P. O. Box 1450
Arlington, VA 22313-1450
Attn.: RO/US

Dear Sir:

Responsive to the Notification of Missing Requirements (copy attached hereto) mailed December 6, 2005, Applicants submit an executed Declaration and Power of Attorney.

The \$130.00 fee in payment of the surcharge required under 37 CFR 1.16(f) for filing the Declaration later than the filing date of the application is authorized to be charged to a credit card. The appropriate form PTO-2038 is enclosed for this

purpose. If the credit card is unable to be charged, please charge any and all fees or credit any overpayment to Deposit Account No. 06-0308.

Respectfully submitted,

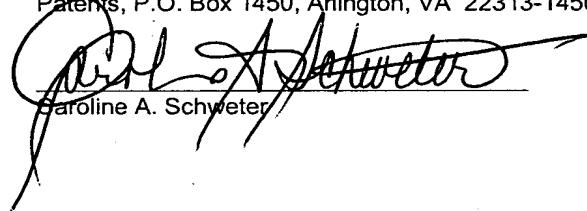
FAY, SHARPE, FAGAN,
MINNICH & McKEE, LLP

January 30, 2006
Date


Richard J. Minnich, Reg. No. 24,175
1100 Superior Avenue
Seventh Floor
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CERTIFICATE OF MAILING

I hereby certify that this **RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)** is being deposited with the United States Postal Service as first class mail in an envelope addressed to: MAIL STOP PCT, Commissioner of Patents, P.O. Box 1450, Arlington, VA 22313-1450 on this 30 day of January, 2006.


Caroline A. Schweter

Rec'd PTO 02 FEB 2006

RECEIVED
Page 1 of 2

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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/535,578	Akio Noda	TOMI 200008
INTERNATIONAL APPLICATION NO.		PCT/JP03/16134
I.A. FILING DATE		PRIORITY DATE
12/16/2003		12/17/2002

Fay Sharpe Fagan Minnich & McKee
1100 Superior Avenue, 7th Floor
Cleveland, OH 44114

CONFIRMATION NO. 7248
371 FORMALITIES LETTER



OC00000017347421

Date Mailed: 12/06/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 05/19/2005
- English Translation of the IA filed on 05/19/2005
- Copy of the International Search Report filed on 05/19/2005
- Copy of IPE Report filed on 05/19/2005
- Preliminary Amendments filed on 05/19/2005
- Information Disclosure Statements filed on 05/19/2005
- Copy of references cited in ISR filed on 05/19/2005
- U.S. Basic National Fees filed on 05/19/2005
- Priority Documents filed on 05/19/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$130** for a Large Entity:

"DOCKETED"

- \$130 Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

MAMIE P PERSON

Telephone: (703) 308-9140 EXT 227

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/535,578	PCT/JP03/16134	TOMI 200008

FORM PCT/DO/EO/905 (371 Formalities Notice)